



BOARD OF ADJUSTMENT APPLICATION

Rec'd
3/13/19
Dec
@ 11:41 AM

APPEAL SPECIAL EXCEPTION VARIANCE TODAY'S DATE: 03/13/2019

****CONTACT INFORMATION****

PROPERTY LOCATION* 1203 Bonner St.
(Street address)

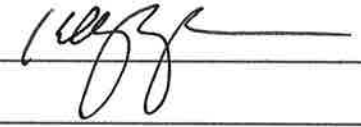
Subdivision: G.W. FOX Lot: 2 Block: 2
(Street address)

*Application not applicable in the ETJ (Extra Territorial Jurisdiction)

Property Owner: Kelly Taylor 1106 Tucker St McKinney TX 75069
(Name) (Address) (City, State, & Zip Code)

taylorkellyd@gmail.com 210-860-1058
(Email) (Phone)

Property Owner is giving N/A authority to represent him/her at meeting.
(Applicant Name)

Property Owner Printed Name: Kelly Taylor Property Owner Signature: 
(Name) (Address) (City, State, & Zip Code)

Applicant: N/A
(Name) (Address) (City, State, & Zip Code)

(Email) (Phone)

****REQUEST****

Please list types requested:

Description	Ordinance Requirements	Requested Dimensions	Variance from Ordinance
Lot Size			
Lot Width			
Lot Depth			
Side Yard			
Side Yard			
Side at Corner			
Front Yard			
Rear Yard			
Driveway			
Other	<u>Accessory Use</u>	<u>N/A-see comments</u>	<u>Pool-see comments</u>

PLEASE DESCRIBE THE REASON(S) YOU ARE REQUESTING TO BE HEARD BY THE BOARD OF ADJUSTMENT. YOU MAY ATTACH ADDITIONAL INFORMATION TO SUPPORT YOUR REQUEST.

APPEAL -

SPECIAL EXCEPTION -

VARIANCE - Our requested replat of 1106 Tucker St and 1203 Bonner St will result in the current swimming pool at 1106 Tucker St to become part of 1203 Bonner St. We request a temporary variance to allow the accessory use of the swimming pool at 1203 Bonner St until we complete construction of a single family residence at 1203 Bonner St. We estimate that it should take approximately 12 months, from the approval of replat, until completion of construction of a single family residence.

Items Submitted: Completed application and fee Plot/Site Plan or Survey drawn to scale

I hereby certify that the above statements are true and correct to the best of my knowledge.

N/A
Property Owner Signature (If different from Applicant)

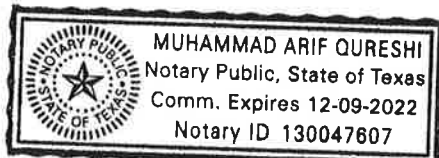
[Signature]
Applicant's Signature

STATE OF TEXAS
COUNTY OF Collin

Subscribed and sworn to before me this 13th day of March, 2019

[Signature]
Notary Public

MAR 13 2019



My Commission expires: 12/09/2022

NOTICE:

This publication can be made available upon request in alternative formats, such as, Braille, large print, audiotape or computer disk. Requests can be made by calling 972-547-2694 (Voice) or email contact-adacompliance@mckinneytexas.org Please allow at least 48 hours for your request to be processed.

*****OFFICE USE ONLY*****

Seeking an appeal from Chapter 41, McKinney Zoning Ordinance, Section No:

BOA Number: TOTAL FEE DUE: \$50.00 (non- refundable)

Received by: Signature: Date:

Additional Information:
Taylor / 1203 Bonner St
April 3, 2019

Board of Adjustment: Variance Request

To the Board of Adjustment,

We respectfully request a variance to continue the accessory use of the pool, which after our requested re-plat, would be on 1203 Bonner St. In order to re-plat 1106 Tucker St into two lots, 1106 Tucker St and 1203 Bonner St (see previously submitted plat), the pool would be without a main use until construction is complete on the single family residence on 1203 Bonner St.

Adherence to accessory use requirements would involve the practical difficulty of demolition of the existing pool. This option includes significant expense and diminished use of the future property.

We propose to complete construction on a single family residence on 1203 Bonner St within 12 months of the date of re-plat. This would make the variance for accessory use of the pool a temporary condition. Additionally, surrounding property and zoning would be protected because we are requesting a temporary condition which will end as soon as construction is complete.

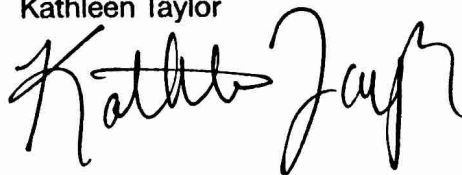
Over the years, our family has come to feel that downtown McKinney is our home and we strongly desire to stay and continue to be part of our community. Our family has grown as well, so we want to build a larger home here in McKinney. Granting this variance would allow us to proceed with our plans to build a new single family residence on 1203 Bonner St and allow our children to enjoy the future use of our pool.

Sincerely,

Kelly Taylor



Kathleen Taylor



146-46 defines what an accessory building or use is.

146-133 lists a swimming pool under Accessory Buildings & Uses

Sec. 146-46. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory building or use means a building or use which:

- Is subordinate to and serves a principal building or building use;
- Is subordinate in area, extent, or purpose to the principal building or principal use served;
- Contributes to the comfort, convenience and necessity of occupants of the principal building or principal use served;
- Is located on the same building lot as the principal use served; and
- Meets all building and fire codes.

Sec. 146-133. - Accessory buildings and uses.

Area regulations. The following area regulations shall be observed for all accessory buildings or accessory structures in all residential, multiple family, or mobile home districts:

Swimming pools. All swimming pools shall be located behind the front yard or front building line and in no case shall the pool proper be nearer than five feet to any bounding property line of the lot or tract on which it is situated.

1203 Bonner

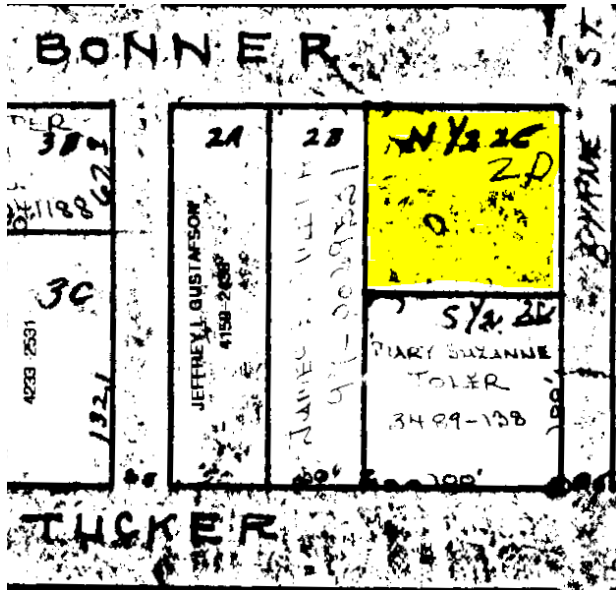
G W FOX ADDITION (CMC), BLOCK 2, LOT 2D, ACRES 0.2213

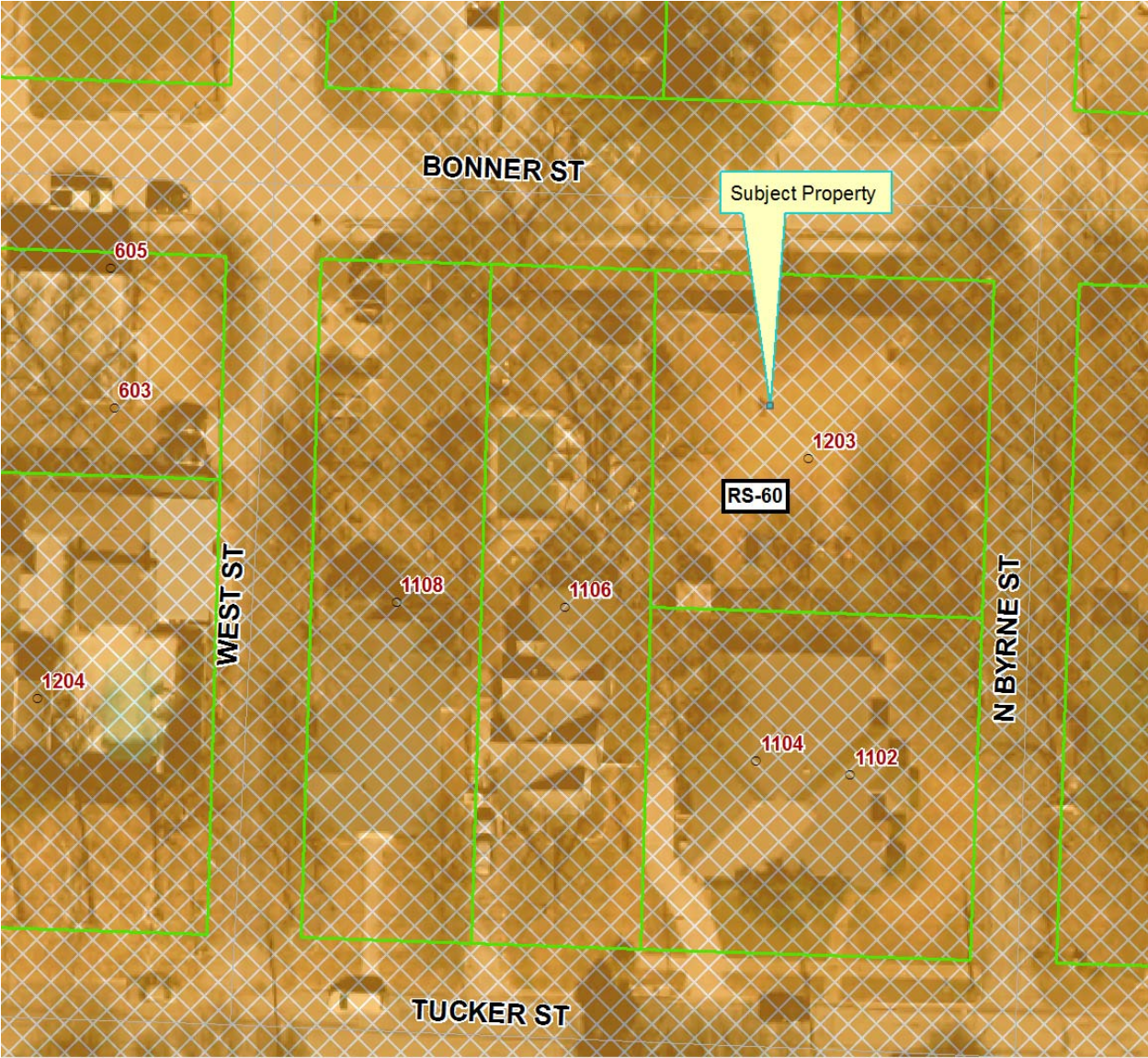
Zoning RS-60

APPENDIX F. SCHEDULES

Section F-1. Schedule of space limits.

Zoning District	Space Limits										
	Minimum lot area	Minimum lot width	Minimum lot depth	Minimum front yard setback	Minimum rear yard setback	Minimum side yard setback of interior lots	Minimum side yard setback of corner lots	Maximum height of structure	Maximum lot coverage	Maximum Floor Area Ratio	Maximum density (dwelling units per gross acre)
AG	10 acre	150'	n/a	35'	35'	20'	25'	35'	n/a	n/a	n/a
RED-1	1 acre	150'	150'	35'	35'	20'	35'	35'	n/a	n/a	1.0
RED-2	2 acre	200'	200'	50'	50'	30'	50'	35'	n/a	n/a	0.5
RS 120	12,000 sq. ft.	80'	120'	30'	25'	10'	15'	35'	n/a	n/a	3.5
RS 84	8,400 sq. ft.	70'	110'	25'	25'	10'	15'	35'	n/a	n/a	5.0
RS 72	7,200 sq. ft.	60'	100'	25'	25'	6'	15'	35'	n/a	n/a	6.0
RS 60	6,000 sq. ft.	50'	100'	25'	25'	5'	15'	35'	n/a	n/a	7.0





CITY LIMITS AND SCHOOL DISTRICT LINES ARE NOT SHOWN ON THIS SURVEY MAP.

THE PURPOSE FOR THIS AMENDING PLAT IS TO MOVE AN EXISTING LOT LINE

NOTE: FROM NORTHEAST CORNER OF LOT 1, BLOCK 2 SHOWN HEREON IT IS N 29°09'39" E, 2105.09' TO APPROXIMATE NORTHEAST CORNER OF THE T. T. BRADLEY SURVEY, ABSTRACT NO. 88

ACCORDING TO FEMA MAP NO. 48085C0280 J, DATED 6-2-2009, LOT 1 & 2, BLOCK 2 SHOWN HEREON IS NOT IN THE 100 YEAR FLOOD PLAIN.

ALL PROPOSED LOTS SITUATED IN WHOLE OR IN PART WITHIN THE CITY'S CORPORATE LIMITS COMPLY WITH THE MINIMUM SIZE REQUIREMENTS OF THE GOVERNING ZONING DISTRICT AND THE REQUIREMENTS OF THE SUBDIVISION ORDINANCE.

OWNERS CERTIFICATE

STATE OF TEXAS: COUNTY OF COLLIN:

WHEREAS Kelly D. Taylor and Kathleen Taylor are the owners of a tract of land situated in the City of McKinney, Collin County, Texas, being in the T. T. Bradley survey, abstract no. 88, being a survey of part of Block 2 in the G. W. Fox Addition according to the map thereof recorded in volume 1, page 55 of the Collin County plat records and being also a survey of the 0.46 acre tract described in a deed from Michael Saylor and wife, Karl Saylor to Kelly D. Taylor and Kathleen Taylor, recorded as clerk's file no. 20130927001353890 of the Collin County deed records, being described by metes and bounds as follows: BEGINNING at a 1/2-inch iron pin found at the northeast corner of said 0.46 acre tract, in the south right-of-way line of Bonner Street and the west right-of-way line of Byrne Street; THENCE South 02°39'52" West, with the east line of said 0.46 acre tract, 100.28 feet to a 1/2-inch iron pin found at the east-southeast corner of said 0.46 acre tract and the northeast corner of the 0.226 acre tract recorded in volume 5718, page 5251; THENCE North 88°46'19" West, with a south line of said 0.46 acre tract and the north line of said 0.226 acre tract, 98.94 feet to a 1/2-inch iron pin found at the inside corner of said 0.46 acre tract and the northwest corner of said 0.226 acre tract; THENCE South 01°27'24" West, with an east line of said 0.46 acre tract and the west line of said 0.226 acre tract, 98.50 feet to a 3/8-inch iron pin found at the south-southeast corner of said 0.46 acre tract and the southwest corner of said 0.226 acre tract; THENCE North 88°09'35" West, with the south line of said 0.46 acre tract and the north right-of-way line of said Tucker Street, 50.05 feet to a 3/8-inch iron pin found at the southwest corner of said 0.46 acre tract; THENCE North 01°52'08" East, with the west line of said 0.46 acre tract, 197.54 feet to a point; a 1/2-inch pipe found bears North 01°52'08" East, 1.32 foot, same being in the south right-of-way line of said Bonner Street; THENCE South 89°02'16" East, with the south right-of-way line of said Bonner Street, 149.57 feet to the PLACE OF BEGINNING and containing 0.453 acre.

COUNTY OF COLLIN X STATE OF TEXAS X NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That Kelly D. Taylor and Kathleen Taylor do hereby adopt this plat designating the hereinabove described property as AMENDING PLAT G. W. FOX ADDITION, LOT 1 & 2, BLOCK 2, BEING A REPLAT OF THE G. W. FOX ADDITION, PART OF BLOCK 2, an addition to the City of McKinney, Collin County, Texas, and does hereby dedicate to the public use forever, their streets, alleys and public use areas as shown hereon, the easements, as shown, for mutual use and accommodation of the City of McKinney and all public utilities desiring to use or using same. All and any public utility and the City of McKinney shall have the right to remove and keep removed all or parts of any building, fences, shrubs, trees or other improvements or growths, which in anyway, endanger or interfere with the construction, maintenance or efficiency of its respective systems on said Easements, and the City of McKinney and all public utilities constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or parts of its respective systems, without the necessity, at anytime, of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of McKinney, Texas.

WITNESS MY HAND at _____, Texas, this _____ day of _____, 2019.

Kelly D. Taylor, Owner

STATE OF TEXAS: COUNTY OF COLLIN: Before me, the undersigned authority, a notary public in and for the state, on this day personally appeared Kelly D. Taylor known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office, this the _____ day of _____, 2019.

Notary Public in and for the State of Texas

Kathleen Taylor, Owner

STATE OF TEXAS: COUNTY OF COLLIN: Before me, the undersigned authority, a notary public in and for the state, on this day personally appeared Kathleen Taylor known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office, this the _____ day of _____, 2019.

Notary Public in and for the State of Texas

Reviewed by: Derrick Rhys Wilson 972-547-7403 dwilson@mckinneytexas.org

SURVEYORS CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS: That I, Bruce Geer, do hereby certify that I prepared this plat from an actual survey on the ground and under my direct supervision. All the corner monuments shown hereon actually exist, and that their location, size and material are correctly shown. PRELIMINARY-THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

Bruce Geer, Registered Professional Land Surveyor No. 4117

STATE OF TEXAS: COUNTY OF COLLIN: Before me, the undersigned authority, a notary public in and for the state, on this day personally appeared Bruce Geer known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated. Given under my hand and seal of office, this the _____ day of _____, 2019.

Notary Public in and for the State of Texas

Approved and Accepted

City Manager City of McKinney, Texas

DATE SURVEYOR: BRUCE GEER, R.P.L.S., NO. 4117 1101 W. UNIVERSITY DRIVE MCKINNEY, TEXAS 75069 972-562-3959 972-542-5751 FAX

OWNER: KELLY D. & KATHLEEN TAYLOR 1106 TUCKER STREET MCKINNEY, TEXAS 75069

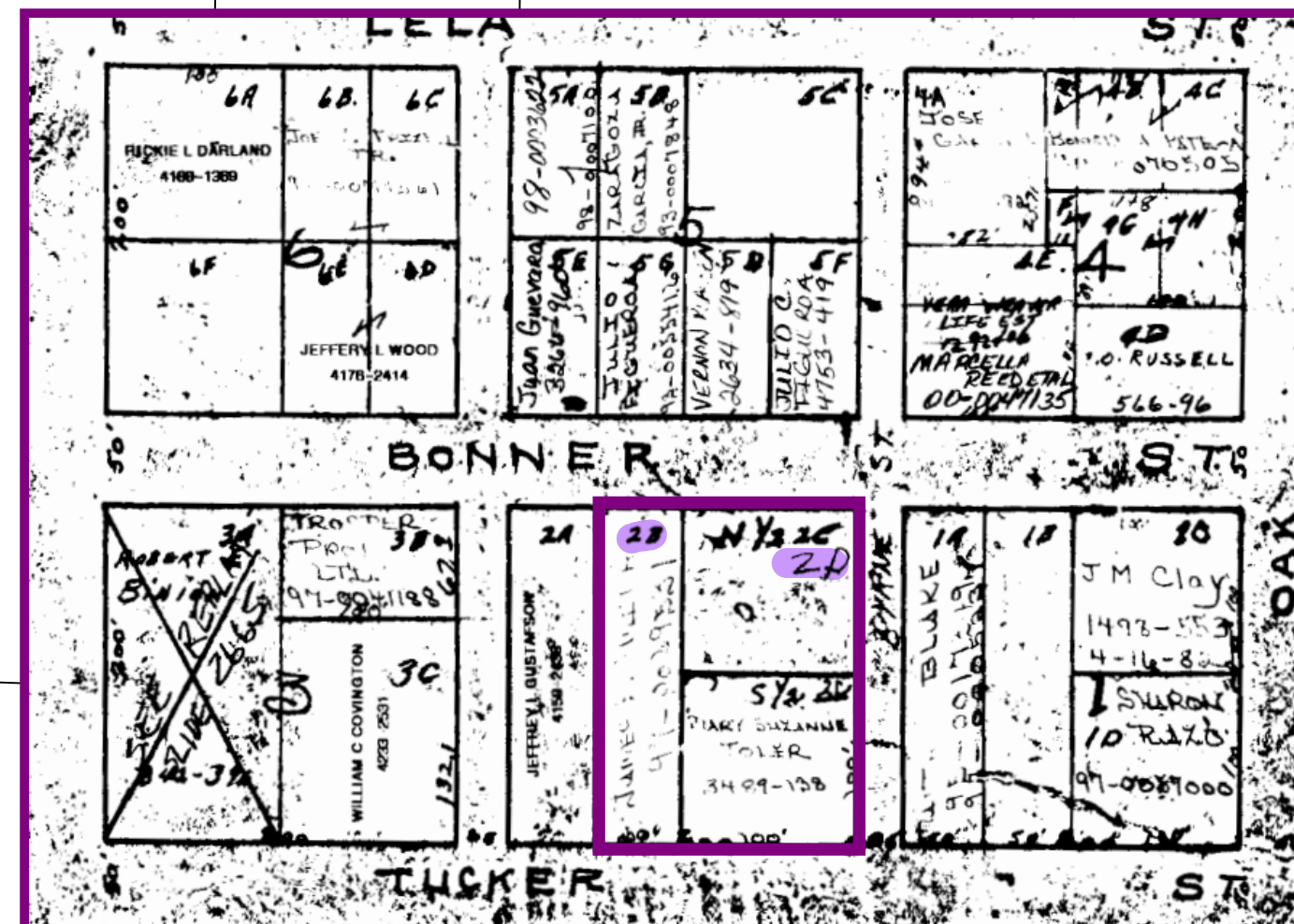
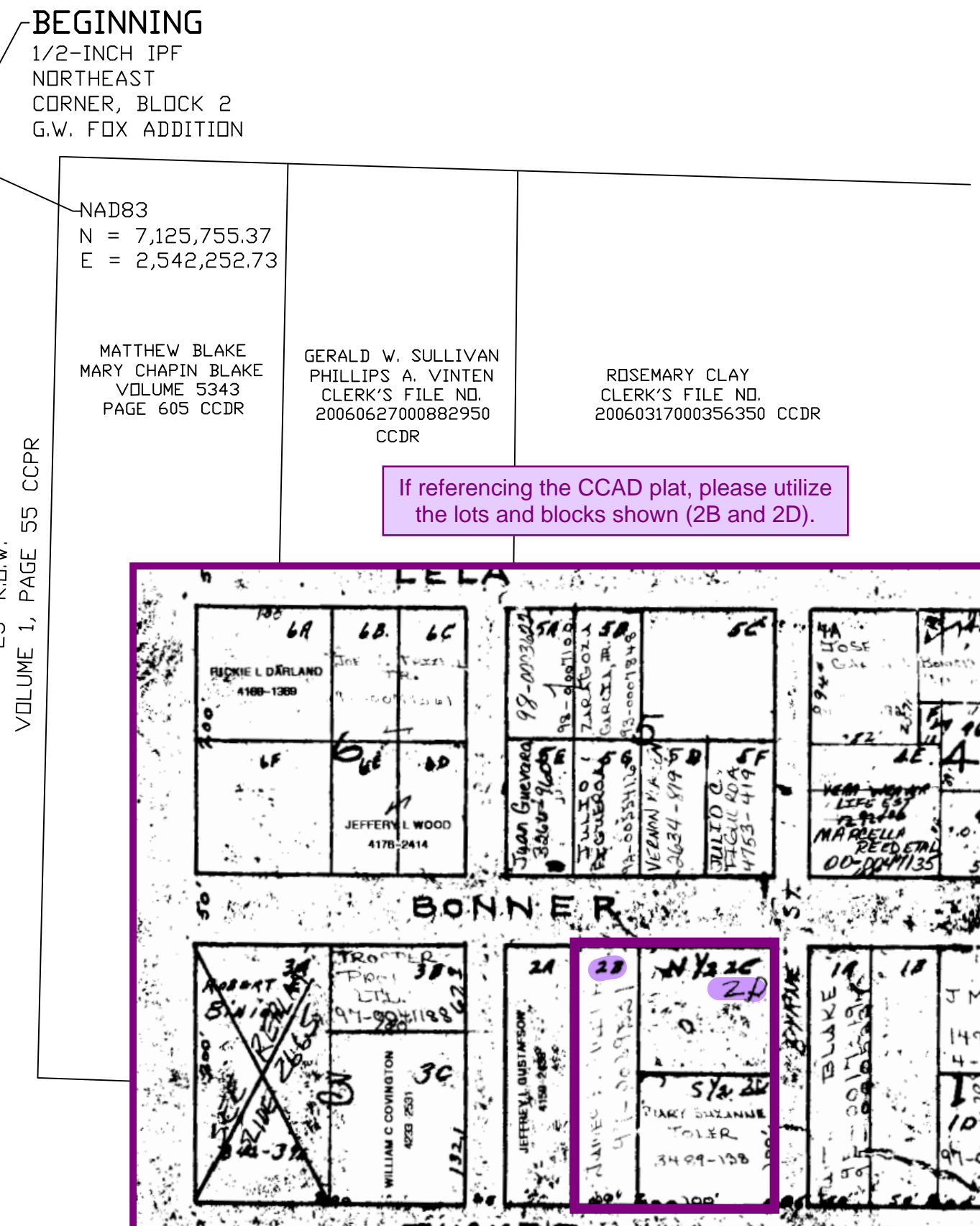
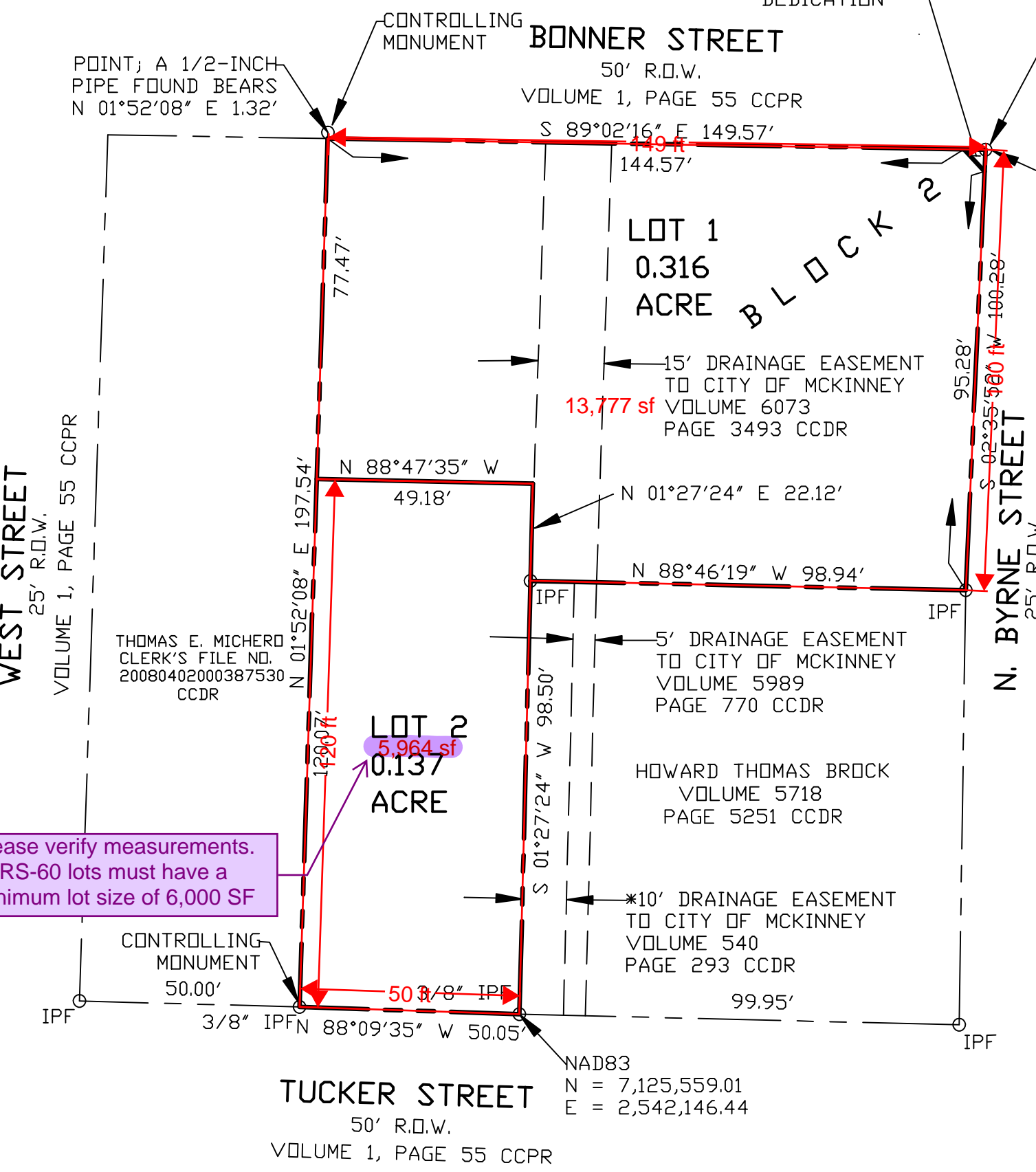
AMENDING PLAT OF G.W. FOX ADDITION LOT 1 & 2 BLOCK 2 BEING A REPLAT OF G.W. FOX ADDITION PART OF BLOCK 2 AN ADDITION TO THE CITY OF MCKINNEY BEING 0.453 ACRE OF LAND LOCATED IN THE T.T. BRADLEY SURVEY, ABSTRACT NO. 88, COLLIN COUNTY, TEXAS JANUARY 7, 2019 2 LOTS

JOHN & NITA HUNTER CLERK'S FILE NO. 93-0059071 CDDR R.O.W. DEDICATION CLERK'S FILE NO. 20120207000141140 RUSHTON WARREN LLC CLERK'S FILE NO. 20120213000162150 CDDR CITIMORTGAGE, INC. CLERK'S FILE NO. 20181101001357790 CDDR

JESSIE & JOSIE GARCIA CLERK'S FILE NO. 2009010900024110 CDDR ZARAGOZA GARCIA, JR. JOSEFINE GARCIA CLERK'S FILE NO. 93-007848 CDDR MARIA M. MARTINEZ VOLUME 5068 PAGE 4893 CDDR JUAN L. GUEVARA CLERK'S FILE NO. 20170808000173720 CDDR AMANDA DEVEREAUX CLERK'S FILE NO. 20170817000198960 CDDR FRANCISCO FRANCO ANTONIA ORTEGA CLERK'S FILE NO. 20140602000550740 CDDR JULIO CESAR FIGUEROA, JR. CLERK'S FILE NO. 20180305000270510 CDDR

JOSE LUIS GARCIA & SYLVIA G. GARCIA CLERK'S FILE NO. 94-0029282 CDDR AMANDA TAYLOR CLERK'S FILE NO. 201607080000968890 CDDR LEE & JANET LANDERS VOLUME 3793, PAGE 43 CDDR GREG W. CURRY & MELISSA MOODY CURRY CLERK'S FILE NO. 20130603000756120 CDDR

LOT 2 REPLAT OF WEST ONE-HALF OF BLOCK 3 OF THE G.W. FOX ADDITION VOLUME F, PAGE 597 CCPR GARY FAGAN & NATALYA FAGAN CLERK'S FILE NO. 20100323000274970 CDDR LOT 1 REPLAT OF WEST ONE-HALF OF BLOCK 3 OF THE G.W. FOX ADDITION VOLUME F, PAGE 597 CCPR JAMES L. DEYDING JAMIE L. DEYDING CLERK'S FILE NO. 20150612000698010 CDDR THOMAS E. MICHERD CLERK'S FILE NO. 20080402000387530 CDDR

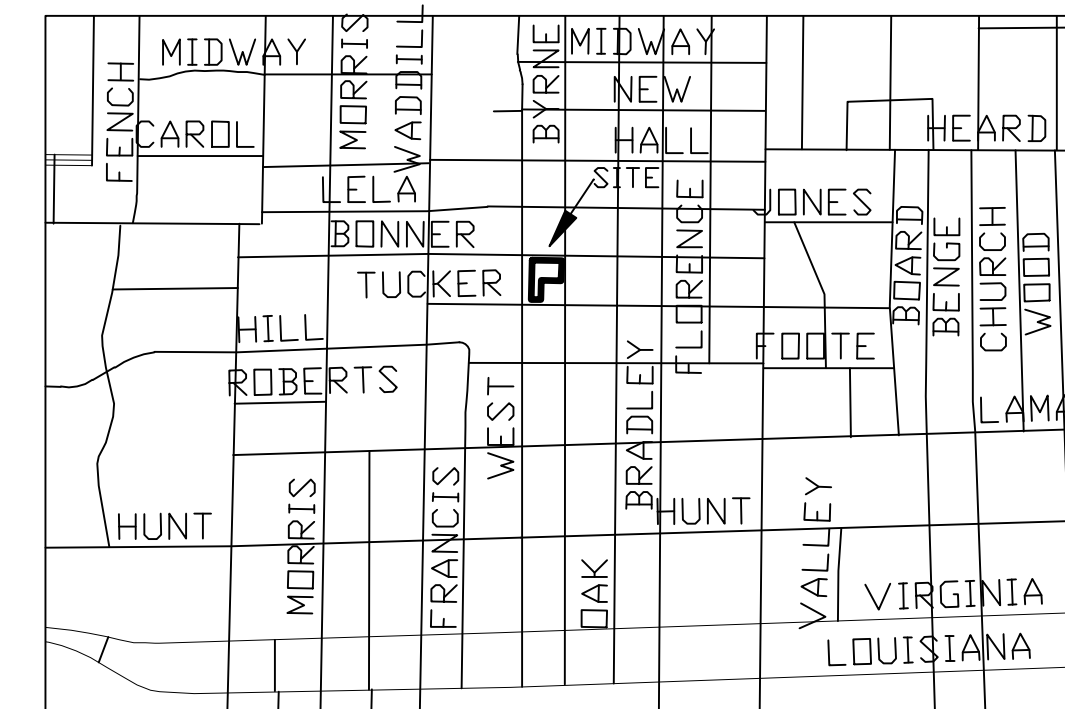


JOHN K. WASHINGTON CLERK'S FILE NO. 20140226000177510 CDDR DARREN MEYER MARY MEYER CLERK'S FILE NO. 20091209001478200 CDDR CENTEX HOME EQUITY COMPANY LLC VOLUME 5882 PAGE 3396 CDDR JAMES A. JOHNSON ANDREA G. ROGERS JOHNSON CLERK'S FILE NO. 95-0021744 CDDR LYNDIA KINGSLEY MARLYN SCOTT KINGSLEY CLERK'S FILE NO. 20110902000937330 CDDR CHARLES B. WILLIAMS CLERK'S FILE NO. 20130320000373760 CDDR BONNIE STANFIELD TRUST VOLUME 5037, PAGE 5166 CDDR

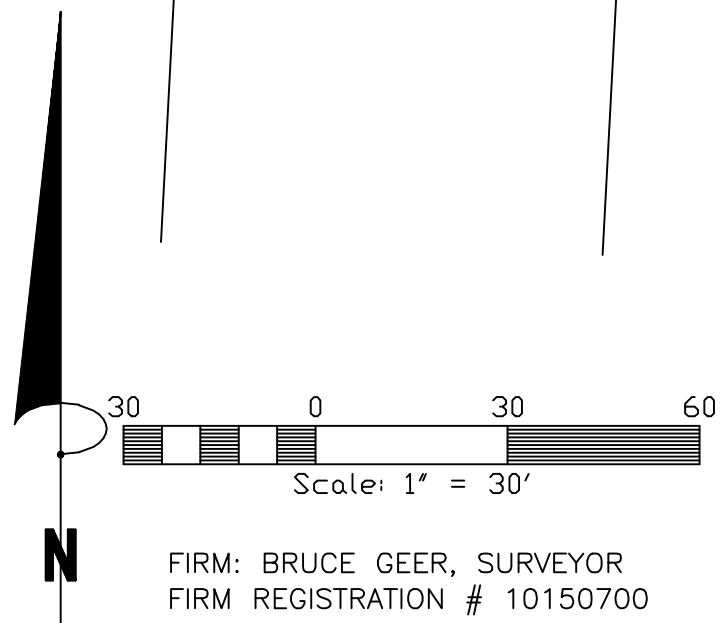
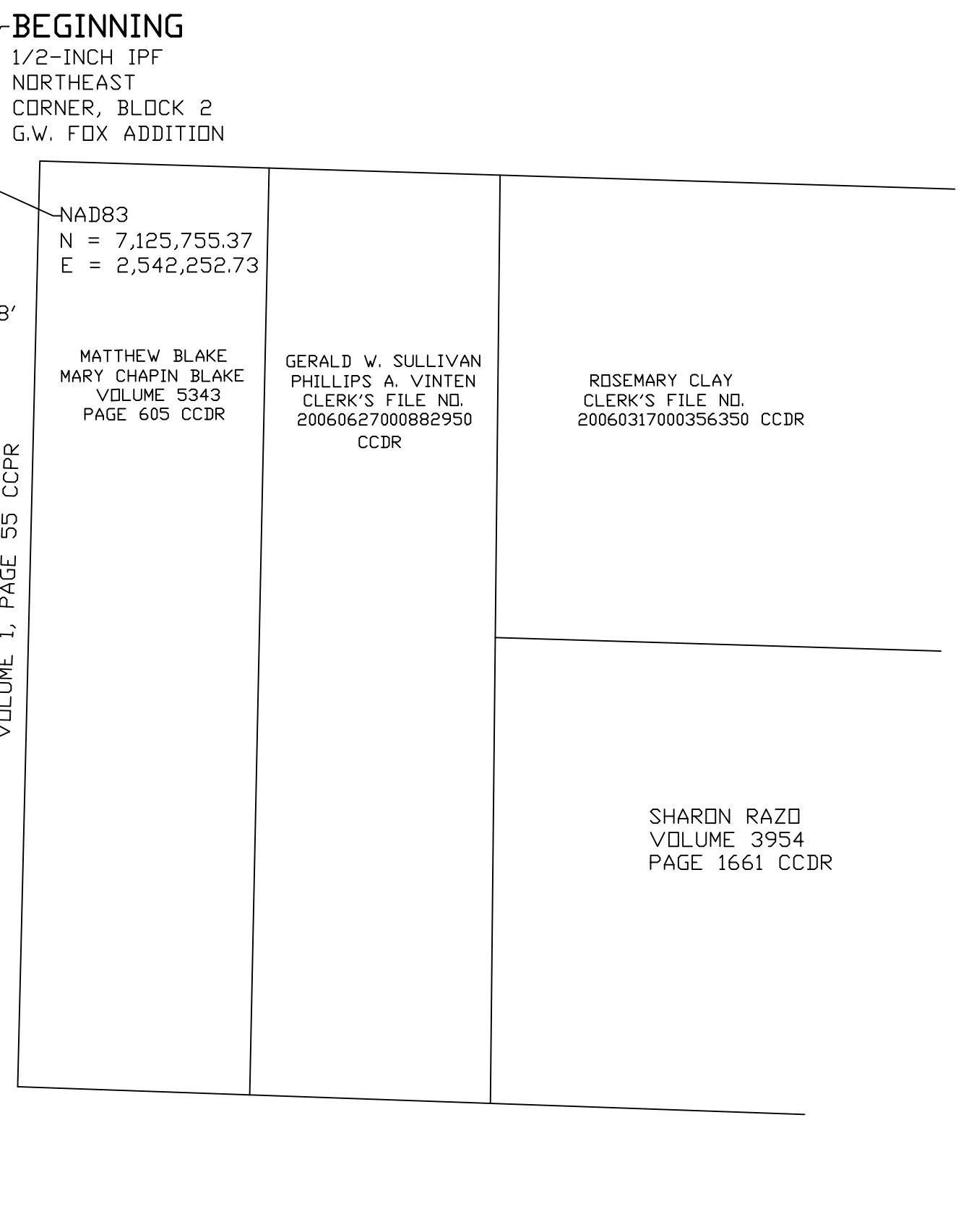
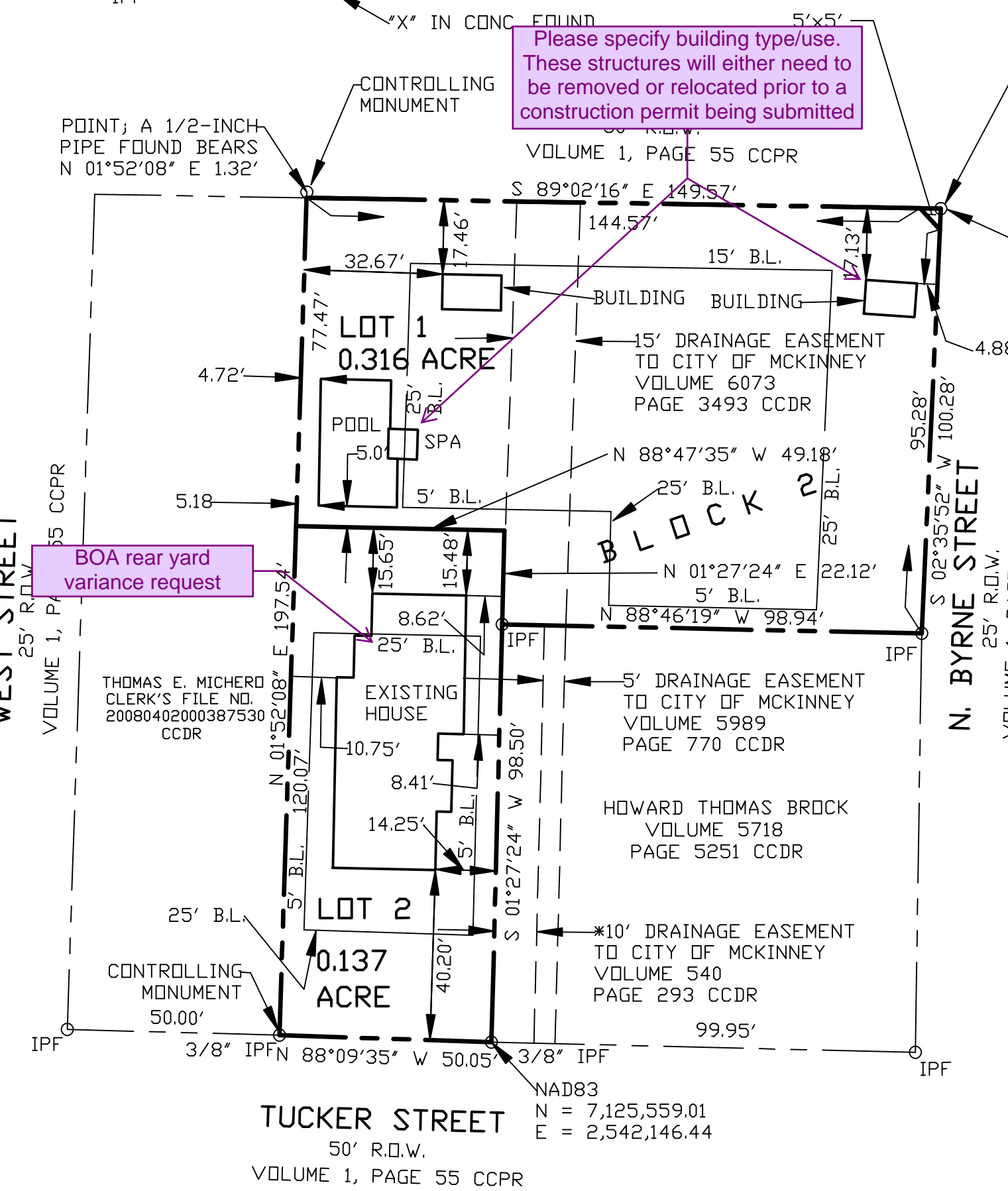
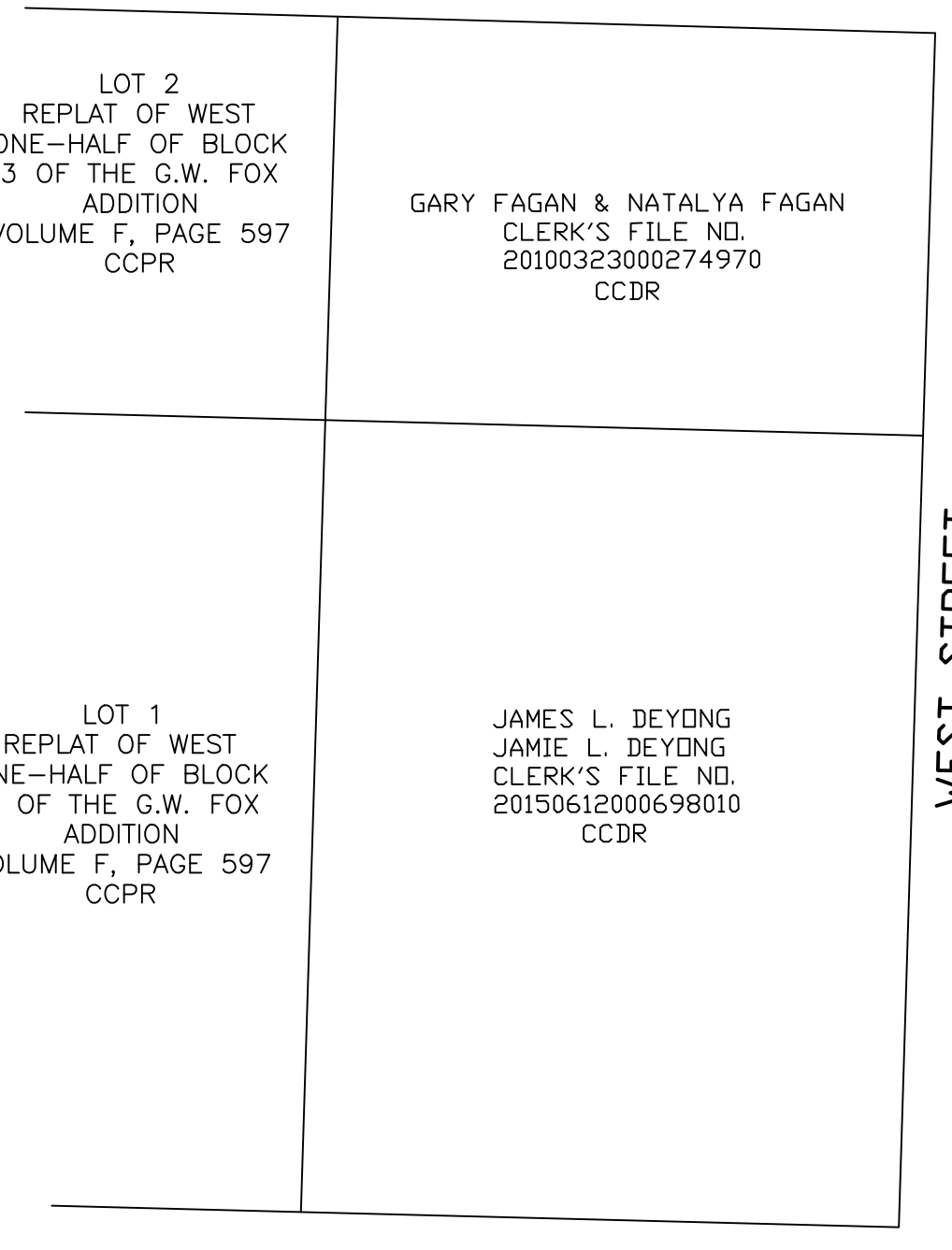
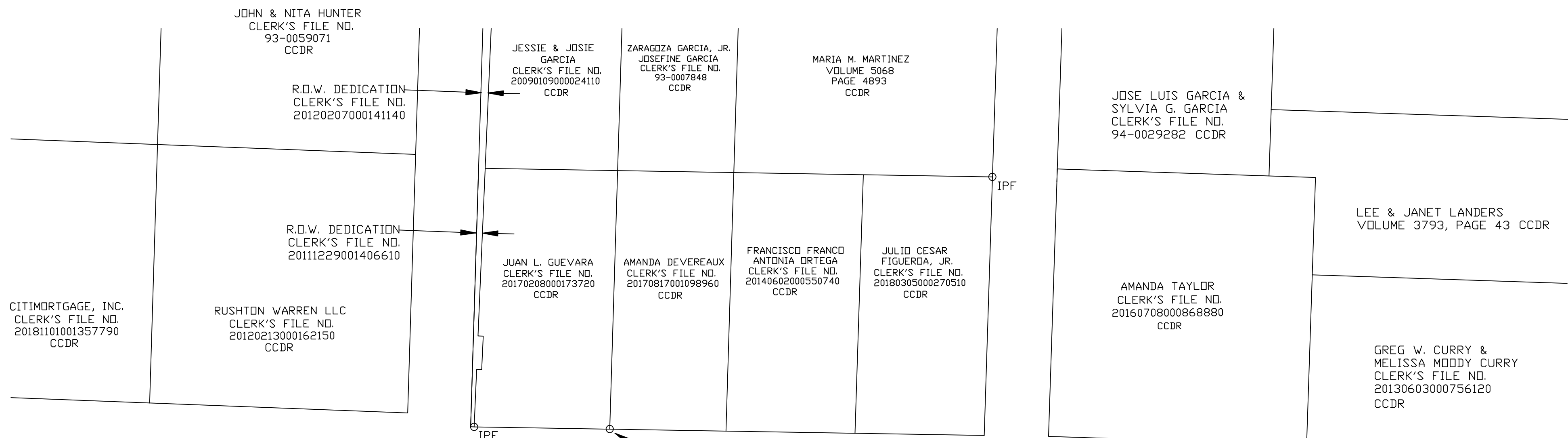
BEARING BASIS: WEST LINE OF 0.46 ACRE TRACT RECORDED AS CLERK'S FILE NO. 20130927001353890 CONTROLLING MONUMENTS: 3/8-INCH IRON PIN FOUND AT SOUTHWEST CORNER AND 1/2-INCH PIPE FOUND AT NORTHWEST CORNER OF SAID 0.46 ACRE TRACT.

CCDR COLLIN COUNTY DEED RECORDS CCPR COLLIN COUNTY PLAT RECORDS IPF 1/2-INCH IRON PIN FOUND 3/8" IPF 3/8-INCH IRON PIN FOUND

LEGEND

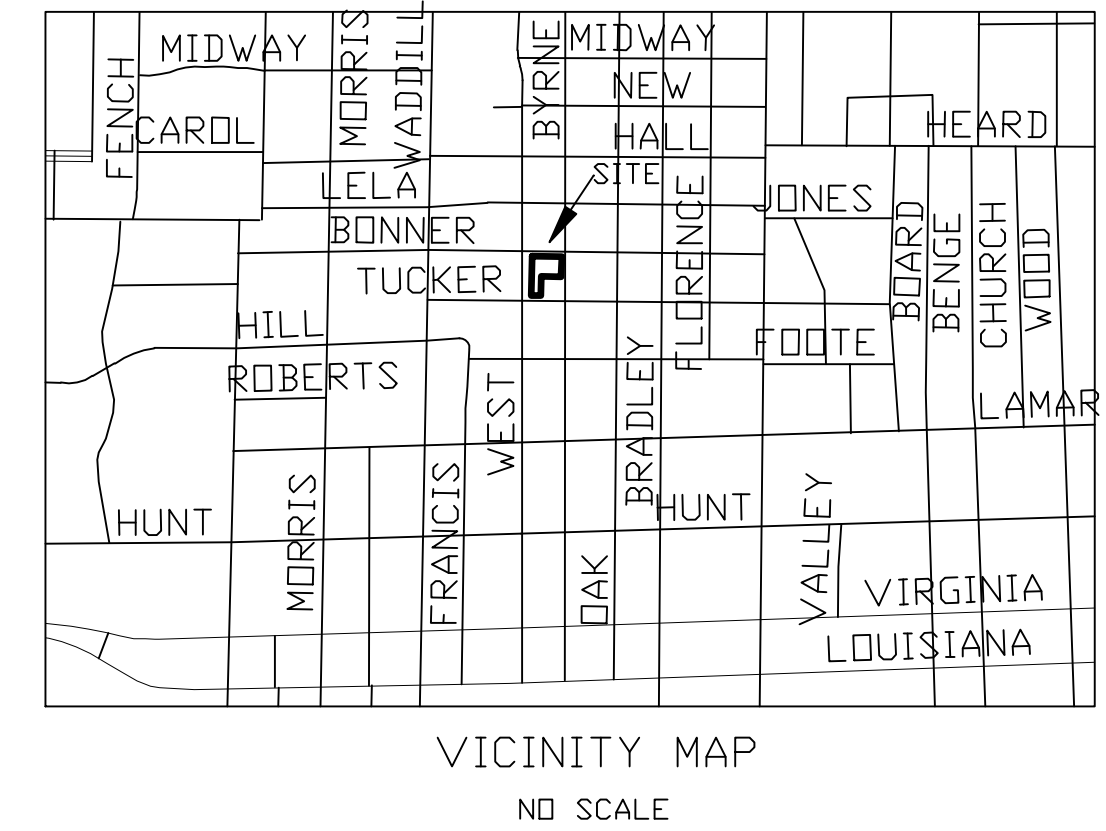


VICINITY MAP NO SCALE



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LEGEND
 CCDR COLLIN COUNTY DEED RECORDS
 CCPR COLLIN COUNTY PLAT RECORDS
 IPF 1/2-INCH IRON PIN FOUND
 3/8" IPF 3/8-INCH IRON PIN FOUND



SURVEYOR: BRUCE GEER, R.P.L.S., NO. 4117
 1101 W. UNIVERSITY DRIVE
 MCKINNEY, TEXAS 75069
 972-562-3959
 972-542-5751 FAX
 OWNER: KELLY D. & KATHLEEN TAYLOR
 1106 TUCKER STREET
 MCKINNEY, TEXAS 75069

SETBACK EXHIBIT
 OF
**G.W. FOX
 ADDITION**
**LOT 1 & 2
 BLOCK 2**
 BEING A REPLAT OF
 G.W. FOX ADDITION
 PART OF BLOCK 2
 AN ADDITION TO THE
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